

**United States District Court**

**for the**

**Eastern District of Washington**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**May 07, 2019**

SEAN F. McAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Michael Avrin

Case Number: 0980 2:17CR00093-RMP-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Donald W. Molloy, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Rosanna Malouf Peterson, U.S. District Judge

Date of Original Sentence: October 5, 2006

Original Offense: Possession with Intent to Distribute Methamphetamine, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison - 135 months  
TSR - 60 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: James Goeke

Date Supervision Commenced: November 17, 2014

Defense Attorney: Federal Defender's Office

Date Supervision Expires: November 16, 2019

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**PETITIONING THE COURT**

To request a summons and incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 08/07/2017 and 08/21/2017.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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**Special Condition # 2:** The defendant shall participate in substance abuse testing, to include not more than 106 urinalysis tests and not more than 106 Breathalyzer tests annually during the period of supervision. The defendant is to pay all or part of the costs of testing as determined by the United States Probation Officer.

**Supporting Evidence:** Mr. Avrin was in direct violation of special condition #2 by using methamphetamine on or about May 2, 2019.

On November 17, 2014, Mr. Avrin was given a copy of his judgment and his conditions of supervision were explained to him. He was directed to follow all conditions of supervision.

Mr. Avrin has been in the Sobriety Treatment and Education Program (STEP) since December 14, 2017. He was unsuccessfully terminated from STEP on May 2, 2019, due to his continued drug use.

Michael Avrin reported to the U.S. Probation Office on May 2, 2019. He supplied a urine sample that tested presumptive positive for methamphetamine. He signed a drug use admission form reflecting this illegal drug use.

**Re: Avrin, Michael**

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**Standard Condition #3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

**Supporting Evidence:** On May 2, 2019, Mr. Avrin was in direct violation of standard condition #3 by lying to the undersigned officer, stating he had not used methamphetamine in over a week.

On November 17, 2014, Mr. Avrin was given a copy of his judgment and his conditions of supervision were explained to him. He was directed to follow all conditions of supervision.

Due to Mr. Avrin being terminated from STEP, he was directed to report to the U.S. Probation Office on May 2, 2019. He stated he had last used methamphetamine on April 21, 2019.

Mr. Avrin supplied a urine sample that tested presumptive positive for methamphetamine. He was again questioned about the date of his last drug use. He then admitted to using methamphetamine on April 27, 2019. He reported he was hoping the urine sample would test negative so he would not have to inform this officer of his actual most recent use.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 05/07/2019

s/Joshua D. Schull

Joshua D. Schull

U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

5/7/2019

Date